

that he was unable to explain to the Iranian people why he had meant them no harm—presumably after the fact. However, if you view this as the Bush version of a Freudian slip, one obvious conclusion can be drawn: that Bush has already made the decision to begin the countdown for an attack on Iran, and only total capitulation by the Iranians could possibly bring the process to a halt.

Further evidence for this conclusion is provided by Bush's repeated reference to Chapter 7 of the United Nations Charter. On three separate occasions during the press conference he praised Russia, China and the "EU3"—the United Kingdom, France and Germany—for framing the December 23 UN Security Council resolution condemning Iran's nuclear activities and imposing economic sanctions on Iran in the context of Chapter 7—that is, of "Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression".

This sets the stage for the international community, under UN leadership, to take such steps as may be deemed necessary "to maintain or restore international peace and stability", ranging from mild economic sanctions to fullscale war (steps that are described in Articles 39-51). But the December 23 resolution was specifically framed under Article 41, which entails "measures not involving the use of armed force", a stipulation demanded by China and Russia, which have categorically ruled out the use of military force to resolve the nuclear dispute with Iran.

One suspects that Bush has Chapter 7 on the brain, because he now intends to ask for a new resolution under Article 42, which allows the use of military force to restore international peace and stability. But it is nearly inconceivable that Russia and China will approve such a resolution. Such approval would also be tantamount to acknowledging U.S. hegemony worldwide, and this is something they are simply unwilling to do.

So we can expect several months of fruitless diplomacy at the United Nations in which the United States may achieve slightly more severe economic sanctions under Chapter 41 but not approval for military action under Chapter 42. Bush knows that this is the inevitable outcome, and so I am convinced that, in his various speeches and meetings with reporters, he is already preparing the way for a future address to the nation.

In it, he will speak somberly of a tireless U.S. effort to secure a meaningful resolution from the United Nations on Iran with real teeth in it and his deep disappointment that no such resolution has been forthcoming. He will also point out that, despite the heroic efforts of American diplomats as well as military commanders in Iraq, Iran continues to pose a vital and unchecked threat to U.S. security in Iraq, in the region, and even—via its nuclear program—in the wider world.

Further diplomacy, he will insist, appears futile and yet Iran must be stopped. Hence, he will say, "I have made the unavoidable decision to eliminate this vital threat through direct military action," and will announce—in language eerily reminiscent of his address to the nation on March 19, 2003, that a massive air offensive against Iran has already been under way for several hours.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

(Mr. GINGREY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### EMPLOYEE FREE CHOICE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New Hampshire (Mr. HODES) is recognized for 60 minutes as the designee of the majority leader.

Mr. HODES. Mr. Speaker, it is my pleasure to be here today with other Members of the class of 2006, the caucus of the new Democratic Members of the House of Representatives, the majority makers, to talk today about the Employee Free Choice Act which we passed in this Chamber just a short time ago.

I want to congratulate my colleagues on supporting H.R. 800, the Employee Free Choice Act, because it is an act that helps set a new direction for our country. If we can see final passage of H.R. 800, it will have a profound impact on working people in our country.

I would like to start with an example of why the protection H.R. 800 offers is so desperately needed. Last week I was home for a work week in my district in New Hampshire and I had the opportunity to meet one of my constituents, Emily, a nurse from Concord, New Hampshire. She was interested in improving working conditions at the nursing home where she worked and where she had worked for a long time.

So on January 12 of this year, she reached out to a local union to talk about organizing the employees, the other nurses, who were working in her nursing home. Seventeen days later, despite an impeccable history of service and excellent reviews, never had a

bad review, no problems with her personnel file, she was fired for what the home called "insubordination."

Now, Emily works long hours in an industry that desperately needs qualified people like her. There is a nursing shortage. She loves her job and she cares about her patients and cares about the people she attends to, and the folks that she is working with are also my constituents. They are people who care about the rights of the people who are taking care of them and working with them.

□ 1630

Emily deserves to have an advocate for safe and healthy working conditions, and she deserves to have a voice in her workplace. It is people like Emily who need the Employee Free Choice Act. It would make what happened to her illegal, as it should be. It would also penalize employers who intimidate and harass workers who want to join together to negotiate their contracts.

It is important to note that there are thousands of responsible employers in our country who are already complying with the Act on a voluntary basis, and that is a good thing. When a majority of their employees sign up to join a union, they recognize it. They do not discriminate against those who are interested in joining together to exercise what ought to be the rights of every worker in this country to collectively bargain.

This law that we have passed, that we are hoping to see final passage of, simply brings the rest of America's employers into line with the many who already acknowledge that their employees deserve a voice in their workplace. This is a bill that honors the integrity of work and promotes effective dialogue, dialogue between employers and the employees who are working with them.

Now, opponents of this bill, many of the people on the other side of this aisle, point to record corporate profits and soaring executive payouts as proof that we do not need the Employee Free Choice Act. Well, they are right about one thing. The rich in this country sure are getting richer, and in fact, while executive pay has rocketed to 350 times what the average worker makes in a company, real wages for working people have remained stagnant.

I have got a chart here today, and it is a wonderful thing because, as you know, this is one of the first sessions that we have had as the new Members in the Democratic majority, the new majority makers, doing what the 30-something Working Group has done so often on the floor over the past few years, educating the American people and our colleagues and each other about what is going on. They have pioneered the use of these kinds of charts, and I just want to point out what this chart shows.

This chart shows the value of CEO pay and average worker production pay

from 1990 to 2005. That is over a period of 15 years, and what it really shows is what would have happened to the pay of workers if their pay had kept up with what has happened to the pay of CEOs in America. You can see down here, right down to my far right where we start, we start together at the zero point, and this top line shows what would have happened to worker pay and where it would be now if it had risen at the same rate as CEO pay has risen.

The bottom line shows what the actual worker pay, what has happened to actual worker pay. It has risen in this bottom red line very, very little. If it had kept pace with the CEO pay at this point, instead of an average actual worker pay, as shown here, of \$28,315, and I want you to think about what it means to raise a family on \$28,315 and pay for the kinds of things we have got to pay for today in this country in terms of gas, transportation, health care, schools, food and everything else.

The average worker pay would be at \$108,138. Clearly, this gap is something that we all ought to be concerned about.

Mr. YARMUTH. Mr. Speaker, would the gentleman yield?

Mr. HODES. I yield to the gentleman from Kentucky.

Mr. YARMUTH. Mr. Speaker, I thank the gentleman.

Mr. Speaker, the reference that the gentleman from New Hampshire just made is an interesting segue into something that has been of very great concern to me, because often when we hear from those who are touting the glory of the American economy, and certainly, we are all proud of our American economy throughout history, but on many occasions, they say the economy is doing so well, the stock market is at record levels, or at least it was until earlier this week, and productivity is great and corporate profits are great, why is it that the middle class is complaining? And there is this disconnect between those people who say we look at these big numbers and statistics and the average lives of everyday Americans.

One of the things that occurred to me when I was on the campaign trail all during last year, one of the incidents that I heard about I thought was a perfect example of why this disconnect sometimes exists.

We had a situation in which a warehouse, a distributing company, with 800 employees was sold to a company from out of State. The new employer came into that company and said, all of you employees have had your jobs terminated, they are now terminated, you can all reapply, you can reapply for 20 percent less salary and you will have no benefits.

I said, well, now according to macroeconomics and statistics, there are going to be 800 new jobs created because these are all new jobs. Now there are 800 jobs lost. That is in another column somewhere, but the 800 jobs are

created. Unemployment stays exactly the same because those same 800 people are employed, and yet 800 people had their lives devastated, their standard of living decreased by 30 or 35 percent, and yet all the numbers look rosy.

So sometimes, as we all say, statistics can say whatever we want them to say, but in fact, when we talk about productivity and corporate profits and all of those things, it is oftentimes, and in most cases, does not reveal a lot of the stress that the middle class and the average working family are under, even though the administration touts these wonderful figures from above.

Mr. HODES. Thank you. I am happy to yield now to my colleague, BETTY SUTTON from Ohio.

Ms. SUTTON. Mr. Speaker, I thank the gentleman for yielding, and I thank him for the education that he is giving us about why it was so important that we passed this bill today.

As you can see from this chart, the productivity in this country continues to rise. The workers are working harder, but unfortunately, the wages are staying the same. There are those who say that we are going to make it in this world if we can just get productivity up and up and up, but unfortunately, that chart is showing that that is not necessarily the case.

What we are seeing go up and up and up is that income inequality that is existing, and more and more people falling from what used to be the middle class that was frankly built by organized labor in this country, fought for by the people who brought us great advancements like the weekend, the 40-hour work week, ended child labor laws and improved safety in working conditions, who fought for Social Security and disability and pension benefits for people, fought for the salt of the earth folks back in my district to help them have a life that would be good for themselves and their families.

So I am very, very proud of what we did today in passing the Employee Free Choice Act, and I have to tell you, I had the pleasure before I came to Congress to represent some of these workers. I was a labor lawyer, and I have to say, there is nothing like fear, the fear of losing your job, and unfortunately, I had to see that fear quite a lot because when you are a labor lawyer, that is when people come to you, when they are being threatened or harassed because they are trying to organize or engage in union activity to try and uplift themselves, their families and their co-workers and they are being threatened because of that activity that they are going to lose their job.

I will tell you, you shared with us one of the stories that came from your district. There is a gentleman back in northeast Ohio by the name of Dave who is a journeyman, and he is a highly skilled tradesman. When he got involved in trying to create a union in his workplace, the company went to great extents to keep it out. They put Dave, instead of using him for the

trade that he plies in, highly in demand, they had him cleaning up cigarette butts at the company headquarters. They did not stop there either. In a long and sordid tale, that ended with Dave's wife actually being harassed so much by the company that she ended up hospitalized, all of this to keep out a union shop.

I guess the beauty of this, if there is any in this story, is it does not have to be this way, and we have heard there are examples out there where industry giants have recognized and respected union membership or the employees who want to engage in union activity and have a union to represent them and to be like Cingular who are still doing very well in the market and to these like Kaiser Permanente.

It does not have to be this way, and this bill actually takes us down the path to greater harmony in employment and employer and employee relationships. So I am really proud about this, and I would like to just yield over here to my friend KEITH ELLISON.

Mr. ELLISON. Mr. Speaker, I thank you for kicking it to me because, I just want to elaborate on one of those stories you just told. I think it is very important to tell the stories, and for the freshmen who come to this Congress as the difference makers, we have to tell the stories of the people because it is from the stories of the people that we make the difference.

We have to remember that the difference that we are sitting here to make is rooted in the real life experiences of the people who sent us here to act, which is why I was so overjoyed to cast that "yes" vote. We saw a vote of 241-185. That is not close. We are here to send a message and to make a difference, and the Employee Free Choice Act is just that.

But let me share this with you. Ten employees of the Brink's Home Security, Minneapolis branch, met in secret in 2004 to discuss problems with their employer. They feared for their jobs if the talk about the union became public, but they decided that a life with a living wage, some health care and a pension plan was worth the risk. They signed authorization cards to have the IBEW represent them. This was back in January 2005.

The National Labor Relations Board certified the IBEW as the employees' bargaining agent, and that was in March 16, 2005. Contract negotiations began with Brink's that April and have dragged on for nearly 2 years now with no contract. This is a company whose average monthly income is \$27 million.

The employees have a simple question for their employer: Why should they work for a company who insists on contracts with its customers but not with their own employees? That is a question I think needs to be answered, and the answer lies in the Employee Free Choice Act because dragging it on, taking employees down a slow dance, dragging it out, not getting down to a real contract is something

that the Employee Free Choice Act is going to remedy.

But I am going to tell you all why it is that some employers resist the union, even after one has been authorized, and I think the answer lies in this simple chart.

The Union Advantage, Median Weekly Earnings, what we see is unionized employees make an average of more than \$800 a week, and yet nonunion are down here just above \$600. That is quite a bit of difference, 200 bucks a week. That is the difference between fixing the window that is broken, fixing the garage door, patching the roof, sending your child to school with good, decent clothing. That is the difference between a nice meal or, you know, spaghetti every single night. It is the difference between a quality of life and not.

I just want to tell you all that I am proud to stand here with you. We are the difference makers. Therefore, we should make a difference, and I would like to recognize my good friend from Iowa, Congressman BRALEY.

Mr. BRALEY of Iowa. Mr. Speaker, I thank my friend from Minnesota. It was a great thrill for me to walk on to the floor today and fulfill a campaign promise I made, and that is by wearing a pair of 26-year-old boots that I first wore when I worked for the Pauchet County Road Department in my home county building bridges and roads and farm-to-market roads for the people of the small county where I lived.

One of the reasons I wore these boots today is because it is very personal to me what is happening in the Employee Free Choice Act.

When I worked there during the summertimes back in the late 1970s and early 1980s, a lot of the people that I worked with would complain every year that they did not feel like they were getting a fair share for the work that they were performing, and they were always talking about whether or not they needed a union to represent them. I am very proud of the fact that now those same secondary road workers in my home county are represented by a union, and they benefit from collective bargaining in the workplace.

One of the reasons that I wore these boots today was a reminder of the hard work and sacrifice made every day in this country by working men and women who are simply executing and exercising their constitutional right to freedom of association. That is what collective bargaining is all about, and that is what the Employee Free Choice Act does. It gives those hardworking men and women greater protection to exercise their freedom of association by providing for majority sign-up, first contract mediation and binding arbitration and tougher penalties for violating the provisions of workers rights.

□ 1645

Now, let's talk about why this month is so significant. This month, we will celebrate in a couple of weeks the 75th

anniversary of the Norris-La Guardia Act, one of the first acts that recognized as a matter of law that workers have a right under the Constitution to collectively organize and bargain with their employers. That act was sponsored by a Republican senator from my neighboring State of Nebraska, George Norris, who had the vision and the foresight to recognize that, unless we protect workers rights, none of us will reach our full potential as human beings.

George Norris was one of those eight brave Members of Congress that John F. Kennedy featured in Profiles in Courage because of the courageous actions he took without regard to partisan politics, because it was the right thing to do. That is why we are here today to celebrate, 75 years later, a new protection for workers that will have just as much impact on their lives as the Norris-La Guardia Act did 75 years ago by making sure that they have protection in the workplace for labor negotiations in the 21st century.

Seventy-five years ago, it was yellow-dog contracts that everybody was concerned about, which was a method that employers were using all over the country to say: You cannot get a job here unless you sign an agreement in advance not to join a union. That is how bad it was 75 years ago. And yet, under the past 25 years, through the interpretation of the existing National Labor Relations Act by conservative judges, we have seen an erosion in the right of workers to collectively bargain, to organize, and to protect their rights in getting first contracts.

That is why I was proud to be an original cosponsor of the Employee Free Choice Act, because there is another story to these boots that I am wearing. I wore a different pair of boots the first 3 years I worked for the Poweshiek County Road Department. And when I graduated from college and got accepted to law school, I thought I wasn't going to need those boots anymore, and the last day I worked that summer, I took my boots out in the yard and I lit them on fire and said good-bye to them.

When I started law school, I lost my father and his parents within a 3-month period of time, and I ended up going back and working for that same county road department after my first year of law school and I needed a new pair of boots. These are the boots that I wore that year. I made a vow to myself I was never going to get rid of them; and that is why I am proud to be with my new members in the Democratic class of 2006 here on the floor celebrating this historic day for workers of the United States. And I am so proud to be here with you.

Mr. HODES. I thank the gentleman. That is a remarkable story. I am glad you kept your boots. I am glad your boots got you here to be with us to share those stories.

And what you are talking about gets me thinking about the history and how

we got here. Think about how those in my generation; I am 55, on my way to 56. I am one of those baby boomers who was born at the beginning of the 1950s, grew up through the 1950s and 1960s. And think about what it meant in this country for hard-working families to have organized labor on their side. Think about the factories, the manufacturing, what it meant to us as kids to have "Made in the U.S.A." And what the contribution organized labor and the growing rights of working families meant to this country.

This country and its great prosperity that some are enjoying today was built on the back of an organized labor movement throughout the 20th century. And in my particular State in New Hampshire, some people say that the organized labor movement isn't as large as it is in other places. But it is certainly vibrant.

But it is not just the organized labor movement we are here to talk about, because really, the Employee Free Choice Act is about all working families. It is about all who are in the middle class or want to get into the middle class that are so important to this country, because today, the squeeze on the middle class is real. Working people in this country have endured blow after blow, including astronomical health care costs. They are up 50 percent a year from the year 2000 to the year 2007. They have been going up at astronomical double digit rates. Think about fuel costs from the year 2000 to today, going up in double digit rates. Ever increasing tuitions. College tuition at public colleges is up 40 percent over the past 5 years. We have seen spikes in housing prices, inflation is on the march. And now, in the first years of this administration, there was terrible job loss as we saw this flight of jobs away from our shores and going offshore. Now, some of the jobs have come back. But what we have seen is the great jobs have been replaced by people taking part-time jobs, by more people working longer hours, more people working harder, more two-income families. That means more caretakers out of the house, leaving more kids to fend for themselves.

So working families and workers are working harder, they are working longer, and they are sometimes working many, many multiple jobs.

So when we hear the statistics about the rise in productivity, it is true, American workers and working families have contributed to a great rise in corporate productivity. And this chart talks about U.S. productivity and wages and the change from the year 2000. It is a pretty simple chart. And what it shows is, very simply, median income right down there, the lower line of median income has actually declined over this period of time. Median income in real wages has actually declined the productivity of American workers and the contribution to the profits that have gone to the very top at the wage scale. That top 2 percent

who have really enjoyed a terrific time over the past 6 years has gone up, and it has been fueled by more people working harder and harder, more people working longer hours, more people working double jobs with fewer benefits and a greater squeeze.

So the Employee Free Choice Act is really a matter of fundamental fairness. That is what we are talking about. We are talking about leveling the playing field so that our workers who are dealing with their employers have a chance to talk in an organized way, have a voice, have some fundamental fairness when it comes to bargaining for the kinds of wages that they need to make a living, to send kids to school, to put the food on the table, to get from their jobs to do the things that we know are important to building a prosperous economy.

At this point I will throw it over to JOHN YARMUTH.

Mr. YARMUTH. I thank my distinguished colleague. And you talked about kind of historic developments and how we got to where we are.

One of the things that we also lose sight of sometimes is that the widespread concentration and consolidation of corporations in this country has also made it more of an unlevel playing field for the American worker. When we have a corporation, we might have a small business that is then bought out by a larger business that is then bought out by some corporation from four states away, and all of a sudden not only is that worker detached economically from the bosses, but he is also detached geographically from those bosses. And he or she is not even able to negotiate anymore with the people who set the policy for the corporation.

So as we have had this massive and widespread consolidation of corporate power in the country, we have also seen the playing field get more and more unlevel for the average worker. And it is not like a century ago when employers had two or three employees. Now, there are thousands and thousands of employees, massive policies, corporate stock, shareholder driven motivation to make more and more profit. And the power of the individual worker to shape his or her own destiny is reduced even more.

And one of the things that I think is unfortunate about the debate we had today is we tend to speak in polarizing terms, and it makes it seem like we who supported this act think that every corporation is evil and every employer is evil and that every union is without sin.

And of course, that is not the case. And, in fact, in my district, there are numerous examples in which corporations and their unions have dealt with the issues of the economy in an incredibly cooperative manner. And when times got rough, the employers went to the union and said, "Here is the situation." They were transparent, they explained the situation. The unions said,

"We don't want the company to go bankrupt. We want to help." They made concessions. They agreed to match wages that may have been in other lower priced settings. And the converse has happened. When we have had good times and the employers say, "Wow, we have got all this work. Let's renegotiate the contract because we need to get more employees in here and we need help." So it can work.

And I get the impression that when those people who oppose the legislation that we passed today, and I haven't had the opportunity yet to say how proud I am of what we did and I am extremely proud. But those people, when they oppose this bill, it seems to me they are saying we want to protect the employers who aren't good because the employers who are good and bargain in good faith and treat their employees well will have no fear from this legislation, they will welcome it, because they are already dealing with their employees on a good-faith basis. It is those people who don't bargain in good faith that we need to pass this bill to resolve.

Ms. SUTTON. That is exactly right. As I mentioned, there are industry giants who are working well with their employees. And just as in your district, in my district there have been unions that have sacrificed for the prosperity and, frankly, just to keep the business going another year, another day, another month. And when times turn good, the hope is, that ongoing relationship carries them all through.

I mentioned that I was a labor lawyer, and one of the toughest things, but probably the most common thing I had to do was try to find ways that we could work things out together, because we really are in it together. And this bill was just about putting us in a place where we could work constructively together.

So, instead of having those employers out there who would choose perhaps instead of working with their employees to a better future, and instead choose to work against them, it is about leveling that out and progress for all.

So I see the gentleman there has pulled up a chart that is labeled "Myths." And we heard a lot today on this House floor that, frankly, just did not represent the facts, and I would just urge the gentleman to kind of correct the record there.

Mr. HODES. I am happy to do that. I think first, before we talk about some of the myths and the real facts, let me just turn it over to Congressman ELLISON.

Mr. ELLISON. Thank you, Congressman HODES. I am looking forward to correcting some of those myths, too. It is very important, Mr. Speaker, that the public knows the truth from the myths.

But before we go back to correcting the RECORD and making everything clear, I just want to tell another story, if I may, because I think it is impor-

tant again for us to root our presentation in real-life experience.

In 2003, employees of Walker Methodist Health Center in Minneapolis voted 61 percent to unionize. They did so in part because of their disgust with the health center that punished them for taking time off to be with ill family members. Quite ironic for a health center.

Anyway, the employees were immediately harassed and intimidated; they had all kinds of problems that they had to deal with because of their effort to unionize. And today, management continues to appeal the 2003 election, despite losing every appeal with the National Labor Relations Board. But their appeals have prevented the will of the workers to have their union recognized. And I think again, it is very important that we focus on what real people are dealing with.

Meanwhile, employees acting on behalf of their union have been harassed and disciplined, as I said, even fired for their union activity even though they voted and have gotten the union by a 2-1 margin. And I think it is time for companies like the ones we have talked about to step up to the plate and recognize the union. It is time to have something like the Employee Free Choice Act to make there be a vehicle to have a contract.

And I just want to associate myself with the comments of Congressman YARMUTH. It is absolutely right that there are many employers who understand the importance of respecting the right to organize. We don't want to demonize them. What we are looking for is all Americans, workers and employees, to do well. The great Senator Paul Wellstone is known for saying, "We all do better when we all do better." So when the employers do better, workers should also do better, and, all around, Americans should say the common good is a good idea and we should continue to focus on it.

Mr. BRALEY. I know that you share my concern of protecting workers rights as an element of protecting human rights. One of the first things that I did when I started running for Congress was do as much as I could to educate myself about the history of the labor movement in my State of Iowa, and one of my friends presented me with a book that cataloged those things.

One of the most striking stories that I read about was an African American worker at John Deere who decided to make a living driving a truck instead, and drove with a group of other truckers who were part of a union to the State of Illinois where they stopped to get lunch. This African American truck driver was told he could not eat lunch in the same restaurant with his white co-workers. And his white co-workers from this labor organization informed the owner of that restaurant in no uncertain terms that either they would all be served together, or he would experience what it was like to

see a semi drive through the front door of his establishment.

□ 1700

One of the things that we all know is that when we protect workers' rights, we are really advancing the cause of human rights, and I was just asking if you could comment on that, and what role, what we did today, how that played in moving the cause of human rights.

Mr. ELLISON. Well, Congressman, I want to thank you for that question. It is an excellent question. Labor rights are human rights.

I think it is important to know that Martin Luther King, who lost his life in Memphis, Tennessee, April 4, 1968, was actually helping sanitation workers gain their rights in an effort to unionize and have collective bargaining. That union, which was mostly African American membership, received help from their main-stream headquarters union, which was in New York, but got a lot of help that way.

It is important to remember that when Martin Luther King lost his life that the union drive and the strike did not end. It continued on, and the strike was successful. It is important to know that the right of human dignity, human rights and labor rights, are inextricably linked together.

One of the first things that my father and mother would tell me as a child is that Woodward Avenue in Detroit, Michigan, is a place where Walter Reuther of the UAW and Martin Luther King of the Southern Christian Leadership Conference walked down the street arm in arm with Reverend C.L. Franklin demanding labor rights, human rights, civil rights. It is all one thing, and that is what we have all got to be about.

Mr. HODES. What we are talking about is fundamental American values. We are talking about values of equal opportunity and fairness and what lifts us all up together.

One of the common misconceptions that is sometimes advanced when people have opposed the Employee Free Choice Act, or they stand in opposition to organized labor or the rights of working class families for fairness, is that somehow it is damaging to business if the employees in a business place come together and are allowed to express themselves and advocate for their cause that there is great fear out there, but there is really no good reason for that kind of fear.

Let me tell you another story that comes to mind. On the same trip back home last week, I had occasion to meet another group of workers. They were cameramen at the local statewide television station. The local statewide television station is a wonderful station.

I have enjoyed being on the station. I know the folks on it; they are good people. They do a great job of reporting. They are a part of an organization that owns a number of stations. They are a good-sized business.

When a couple of years ago these cameramen decided that they wanted to have a voice together, join together to be able to talk about some reasonable suggestions and thoughts and fairness so that they could have a voice to talk to the management of the station, which had been purchased, and they wanted to come together to talk, they were surprised to find that management, probably out of fear of what it meant, was using tactics that some might call intimidation, but I might tend to see more as fear based on wanting to protect something that they didn't know about.

One of the things I say to people sometimes is that people prefer the misery of the known to the mystery of the unknown. When you haven't had an organization come together for employees to talk with management, sometimes that can provoke the kind of fear of what that means.

So what happened was over the course of a couple of years, the management in this organization would take camera people aside by ones and by twos, and they would say things like if you come together to form this union, this company is going to be in real trouble. We are going to lose money. If we lose money, we are going to have to lay people off. If we have to lay people off, it might very well start with you.

They did this over a period of time by ones and by twos and delayed the process, and delayed the process and delayed the process. I have to tell you, when it finally came to pass that these folks got together and were able to get their union, without the benefits of the Employee Free Choice Act, which would have made it much easier, which would have made it fairer, which would have made it smarter for them to get together by simply having a majority of them get together to sign the cards and form the union and have the union recognized, they didn't have that process at the time. So they were delayed when they did come together and get their union and sit down and talk with management.

You would be surprised, I think, but I wasn't, to say that the company didn't suffer. Their profits aren't down. They are treating each other fairly. They are having a great dialogue together. But this company is doing just fine. In fact, since that time, unions have been formed, they have had productive discussions. Really what it is, it is about the respect. It is the respect for the dignity of working people.

If we cannot give working people in this country the dignity and respect that they deserve in the workplace, then what kind of country are we. That is why the Employee Free Choice Act that we passed today, on a bipartisan basis, I might add, with some of our colleagues who had the courage to join us from the other side of the aisle, that is why when we passed the Employee Free Choice Act in this House. We are expressing something about the new di-

rection that we are going to take this country, one in which working families are accorded the dignity and respect that we know as Americans they deserve.

I give it back to Brother BRALEY.

Mr. BRALEY of Iowa. One of the things we are talking about in terms of these myths is really the fundamental shift that happened here today, that now, under the Employee Free Choice Act, it will be as difficult to certify a union as it is to decertify a union, because one of the myths that you have up there is that somehow by passing the Employee Free Choice Act, it will be harder for companies that no longer share the support of the workforce to have that union represent them in a collective bargaining agreement, that somehow what we did today will make it more difficult to decertify the union. In reality, it has always been fairly easy to decertify a union and nothing about the Employee Free Choice Act changes that.

So I would ask my friend from Kentucky if he could talk about some of the other myths that we heard today and throughout the week during the discussion that we know aren't based on fact and aren't based upon changing anything about the law that currently exists under the National Labor Relations Act.

Mr. YARMUTH. I thank my colleague. Before I get to that, I want to get to another part of the myth, and this is related to my colleague from New Hampshire, who talked about kind of the stigma attached to unions, and so much, I think, of what the stigma that is attached to unions and also the psychology of management is that if you are an entrepreneur, if you are building a company and you are running that company, then you think you should have a say in exactly how it has been run.

I have been an entrepreneur, my late father was, my two brothers are; and I know the mentality, that you started something and all of a sudden you think you should have nobody else telling you the rules. You should be able to set all the rules, and ultimately that is a self-defeating proposition because the only way to get the buy-in of your employees and to get really loyal employees is to treat them as part of the entire endeavor that you are involved in.

I know that a lot of people in this country tend to form their impressions of certain dynamics in society by what we see in the movies, and a lot of people probably look at "On the Waterfront" and old movies and say these are the unions that we are threatened with.

I had a great experience at the beginning of the last campaign. I had a meeting with six or seven labor union leaders, and I took my son, who was then 22. We had a wonderful 2-hour meeting in which we talked about all the issues from all different perspectives.

On the way home, my son, who had never been exposed to any union activity, said to me, Dad, that was really interesting. The only thing I ever knew about unions was what I saw in the movies. These guys aren't at all like those people in the movies. These guys are really smart.

Of course, that's the truth, and not only were they and are they smart people, but they also understand economics. They also understand the pressures that are on employers as well as on employees.

As I said before, there are all sorts of myths that permeate the labor management debate in this country, and most of them are not true. We have several we have heard throughout this debate on the floor, including the one my colleague from Iowa discussed, the whole notion of the secret ballot and eliminating the secret ballot.

Of course, this law does not eliminate the secret ballot if the employees choose to have a union organization process that involves a secret ballot. They are perfectly entitled to do so. It is just that they are not burdened with that exercise if they don't want to be.

This seems to be the height of fairness. We are not denying them the secret ballot. If they want a secret ballot, the majority of the employees, they can have a secret ballot. But we haven't heard that from the other side.

Mr. HODES. You know, 69 percent of Americans are supportive of what we did here today. I think the secret ballot issue is an important one. I just want to highlight it because it is myth number 1 on this chart which I have up here that the Employee Free Choice Act somehow abolishes the National Labor Relations Board secret ballot election process.

What this really does, what we are doing today, and what we have done, is it gives employees a choice between using the NLRB election process or the majority sign-up process. Under current law, employees can use the majority sign-up, but the employer can veto that majority employee choice and force the employees through the broken, undemocratic NLRB election process, which is open to employer delay, intimidation, and coercion.

It is the kind of thing I was talking about when I talked about those constituents of mine from New Hampshire who had to form a union and had to deal with their organization. Under this act, under H.R. 800, the Employee Free Choice Act, employees can still petition for an election. But if a majority signed cards saying they want a union now, they get a union, and the employer must respect that choice.

So somehow this myth out there that what we have passed is somehow undemocratic could not be further from the truth. It opens up choice, it makes the process easier, it reduces the kind of temptation to intimidate and harass or coerce that we have seen, and it promotes better dialogue and more fairness in the workplace.

I now hand it over to the Congressman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Congressman HODES, I just want to agree with you there. The fact is that this Employee Free Choice Act actually provides more opportunity, more choice, not less. It is critical to understand that.

Again, I want to recognize good employers who work cooperatively with their unions, but I also don't want to turn my eyes to the fact that there has been intimidation, but by and large, not on behalf of the union. In fact, I have a whole stack of horror stories that go along with workers trying to organize.

But I wanted to just talk a little bit, before we begin to wind up, about how important the Employee Free Choice Act is for working-class and middle-class prosperity. I want to start out my comments just by pointing out that over the last 6 years of this administration we have seen poverty increase by about 1 million people every year.

Right now we have got about 39 million Americans who live below what the government calls the poverty line, 39 million. That is a lot of people, and that is unacceptable in America.

Now, you might say we are not talking about poor folks, we are talking about workers. Well, let me tell you what a worker is. A worker is a person who works hard every day and makes a decent salary. Let me tell you what a poor person is, a worker who lost their job and hasn't gotten their paychecks for a little while.

So the ranks of the poor and the ranks of the working and middle class are tied together. So many people are only a few paychecks away, if not one paycheck away, from disaster. So we cannot ignore the rise in poverty during the Bush administration and say that it is not connected to workers' rights. It is directly connected.

We also have to talk about how the ranks of the uninsured have increased every year during the Bush administration. This, again, is tightly tied to the fortunes of the working class people, our folks. We have to be clear that if we have an Employee Free Choice Act in which people can organize and people can form together, build a union, what they can do is they can parlay that organizational power into greater benefits for American people.

We can now begin to form the basis of a real universal health care system, a system in which everybody can have health care in our society. We can parlay it into a real credit reform system where people are not subject to the vicissitudes of what some creditor lending institution wants to do with regard to lending practices, payday loans, all these kinds of things that sort of eat away at what working-class people are doing.

They can pull up, they can build a little fence around the fortunes of the working class, which I think are so important, and really sort of redirect the focus of our country towards the common good, which is where it should be.

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So let me just say that the myths are important to address and I am glad we have done that. But I just want to say that this Employee Free Choice Act is giving working people a hedge, a fence, a wall, a protection in order to improve the lives of everyday people.

And I just want to turn our attention to this chart I have to my left which shows real median household income. For those of you who don't know the difference between real and unreal, it just means adjusted for inflation.

When we take inflation into account, we see that the median household income of Americans has dipped between 2000 and now and has gone down precipitously, dramatically, and we cannot allow it to continue.

If you have unionized workers, they don't need us to go pass a minimum wage law. They don't need us to think about some of these basic things. They do it for themselves. They have the power in their own hands when they can organize.

Mr. HODES. Mr. Speaker, let me turn it over to Congressman BRALEY for some closing thoughts. As we have a few minutes left in this, our first session as members of the Class of 2006, the majority makers, members of the new Democratic freshman class, are going to come to the floor of the House on a regular basis to talk with the American people and with each other and with any of our colleagues from across the aisle who choose to come and talk about the issues that are facing us in the day. I would be happy to hear from you and have some of your closing remarks.

Mr. BRALEY of Iowa. Well, I think one of the things that we deal with every day in this hallowed body are issues of human dignity. And to me, that is the essence of the vote we took today on the Employee Free Choice Act. It is not about giving one side in the bargaining negotiations an unfair advantage over the other side. It is about leveling the playing field so that all people have the means to reach their full potential as human beings. I believe with all my heart that that is what the Employee Free Choice Act helps to achieve.

I think it gives workers trying to enter into their first contracts greater assurances that their rights are going to be protected and their voices are going to be heard. I think that it puts more teeth into protecting those workers when employers choose to engage in tactics that have been prohibited under existing law, but have not been enforced as they should have been. And I think that when the rules are clear, and the penalties are clear, then everyone involved in the collective bargaining process has greater motivation to do the right thing. And, after all, that is what this is all about, giving people on both sides of the negotiating process the motivation, the incentive to do the right thing, to treat each other with dignity and respect and to



give them the best opportunity to achieve a good and profitable business venture that benefits the employer and the employee.

To me, that is what today's vote was all about, and that is why I am hopeful that the bill will be sent to the Senate and receive the same type of respect and debate that it did in this body, and that it will get sent to the President for his signature and be signed into law, so that all workers in this country will know that they have the protection that they deserve to reach their full potential as human beings.

Mr. HODES. Mr. YARMUTH, any final thoughts?

Mr. YARMUTH. Yes, I do. I associate myself with the remarks of my distinguished colleague from Iowa and also from Minnesota and Mr. HODES, you as well.

We face a situation in this area of labor management relations, just like many of the other situations we face in this country, where oftentimes, the problems are very complex and there are no perfect answers. And I don't think that any one of us here today thinks that this is a perfect answer, the Employee Free Choice Act, or that we are going to in any way, in one step of this body, correct the inequities in the economy. We always are looking for the best possible answer. We are trying to be fair. We are trying to make life better for the most people we can and the greatest number of people we can. And this does that.

As the world gets bigger and bigger, as corporations consolidate and get bigger and bigger, the power of every man and woman to determine his or her own fate gets less and less. And in our small way today, a significant way, but in a small way, I think we have begun to reverse a slide of imbalance in the economy and a slide to total inequity and helplessness on the part of American workers.

During my many stops at picnics last summer, I ran into a man who was in his early 50s, and he had worked for Winn-Dixie, the grocery company, 23 years. And Winn-Dixie had gone out of business. They had gone out of business because of competitive reasons. Nobody was going to help that. And yet, he had built up \$150,000 in his pension fund. And when Winn-Dixie went out of business, he was left with \$30,000, so he had lost 80 percent of his life savings because of the situation with Winn-Dixie.

He was forced to take another job, a job he was not prepared for, not physically or emotionally, probably, and he was struggling to get by.

But the point of the story is, that we are not going to be able to correct every wrong and right and save everybody's pension or protect everyone's livelihood through our actions. But we can take steps, when we see institutionalized imbalance in the economy, an imbalance of power, particularly when it is balanced against the working men and women, we can take

steps like the Employee Free Choice Act and make a difference and make a difference for millions of Americans.

So once again, I salute this body today for the action that it took. It is a significant step on behalf of the American working man and woman, and I am proud to be a part of this body today.

Mr. HODES. In closing, I just want to take 1 minute to thank my colleagues, Mr. BRALEY, Mr. YARMUTH, Mr. ELLISON, Ms. SUTTON, who was here earlier. I want to thank you all for coming to the floor of the United States House of Representatives to work on this bill and to stand together today to talk about the importance of this bill to the American people.

And I just want to close by pointing out that the issues of economic and social justice that we are dealing with, and we are now dealing with a Democratic majority, are not partisan issues. We were joined in passing a rise in the minimum wage by our colleagues across the aisle. We were joined today by our colleagues across the aisle.

The American people sent us here to work in a bipartisan fashion, and we have worked in a bipartisan fashion, and will continue to because these aren't issues of left or right. These are American issues. And when we respect the dignity of working families and help the middle class in this country, everybody is helped from the top to the bottom.

So I congratulate my colleagues on the other side of the aisle who aren't here right now, but I want to congratulate them for coming today and working with us to pass this.

And I urge everybody who may be listening and may be watching today to voice their concern to the Senate. Reach out to the administration, and let them know your thoughts, that this is an American issue that respects fundamental values of dignity and respect for working people, and that working together, we can lift the middle class, we can help this country continue prosperity and distribute fairness in a way that helps us all.

I thank you all for being here today.

#### OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore (Mr. WALZ of Minnesota). Under the Speaker's announced policy of January 18, 2007, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the minority leader.

Ms. FOXX. Mr. Speaker, I appreciate this recognition and the opportunity to come in as the Official Truth Squad usually does. I didn't bring the Official Truth Squad banner with me today, but I have heard enough of the session that has just gone on.

I see that the 2006 class didn't take very long to be brainwashed by their colleagues who were already here.

I will tell you, I think that maybe every Congress has a theme to it. And

I would say the theme of this Congress is hypocrisy.

I served in the State Senate for 10 years, and I have often commented on this. We were never allowed to tell an untruth on the floor of the State Senate because we would get called down for it. But it happens here on the floor of the House every day, and it is truly an amazing situation to see, and I continue to be astonished by that occurrence when I see it here.

I want to talk a little bit and give another side of the story of this bill that passed here today called the Employee Free Choice Act. We have been calling it the Employee Intimidation Act. And what I find most astonishing is that our colleagues on the other side are so willing to knock down one of the cornerstones of our democracy, and that is the right to a private ballot.

For centuries, Americans, regardless of race, creed or gender, have fought for the right to vote and the right to keep that vote to themselves. Now, just months after a new House majority was elected in 435 separate elections, it has just voted to strip men and women of this country of their right to a private ballot in the workplace. I don't know what could be more undemocratic than that. Again, it just seems to me that hypocrisy is running rampant among the House majority.

In recent polls, almost 9 in 10 voters, 83 percent, agreed that every worker should continue to have the right to a federally supervised secret ballot election when deciding whether to organize a union; 80 percent also oppose the Employee Free Choice Act; 71 percent of union members agreed that the current secret ballot process is fair; and 78 percent said Congress should keep the existing secret ballot election process in place and not replace it with another process. But that kind of feedback means absolutely nothing to the majority in this House. They are bound and determined to pay off the people who help put them in the majority and they are going to do that.

Chuck Canterbury, National President of the Fraternal Order of Police, issued a press release saying that, "without the anonymity of the secret ballot, the Fraternal Order of Police would probably not exist today."

The only way to guarantee worker protection from coercion and intimidation is through the continued use of secret ballot election so that personal decisions about whether to join a union remain private.

Even the AFL-CIO has expressed support for secret ballot elections when workers are presented the opportunity to decertify a union. The union argued that "private ballot elections provide the surest means for avoiding decisions which are the result of group pressure and not individual decisions."

Now, they have expressed their opinion for that, but then sometimes they express a different opinion. And we know that the Federal courts have repeatedly stated that secret ballot elections are the most foolproof method of